



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TDD #: (608) 264-8777

Jim Doyle, Governor
Jack L. Fischer, A.I.A., Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 53
Comm #: 53929-9999-05-A
BRRTS #: 03-29-000056
Site Name: Kwik Trip #820
Site Address: 405 2nd Main St, Elroy, 53929
Site Manager: David Swimm
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 264-8766
e-mail: David.Swimm@Wisconsin.Gov

Bid-Start Date:	February 04, 2008
Questions must be received by (See Section 2 (B)):	February 18, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	March 07, 2008
Bid-End Date and Time:	March 21, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize-Madison, 1 E Main, Madison, WI 53703
Phone: (608) 663-1041 Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

General Comments

The former USTs were located beneath the sidewalk adjacent to 2nd Main Street and were removed in 1993.

A groundwater plume originating from the source area (MW2) extends downgradient (southeast) to the off-site monitoring well at MW5. Unfortunately, recent groundwater sampling results from MW2 show an increasing trend. Additional soil sampling is being conducted to better define the source.

A nearby LUST site (Quick & Clean Car Wash, Commerce #53929-1254-16, BRRTs #03-29-178099) located across 2nd Main from the source (416 2nd Main) and was closed by Commerce on 9/15/04. This site is referred to in the Kwik Trip reports as the “Citgo Service Station”. The responsibility for the well nest at MW-6/P-7 (including abandonment liability) was transferred to the Kwik Trip site at the time of the Quick & Clean Car Wash closure. The well nest is available for sampling and measurements. The wells at MW-3, MW-5, and PZ-1 are all part of the Kwik Trip well monitoring network. METMW-3 and METMW-5 were abandoned as part of the Quick & Clean closure.

Groundwater is at approximately 32 to 34 feet below ground surface (bgs). In the source area weathered sandstone bedrock was encountered at approximately 10 feet bgs. Overlying native soils are mostly silty clay. All the historical monitoring wells and borings were installed with hollow stem augers to auger refusal (presumably competent sandstone bedrock). Competent bedrock is at approximately 35 to 40 feet bgs. Based on split-spoon sampler blow counts (see copies of boring logs posted to web site) the weathered sandstone is generally soft, however there are layers at approximately 15 feet and 25 feet bgs that may cause direct push probe refusal.

Commerce has only provided to the copy shop the most recent groundwater monitoring report (November 30, 2007). Two site maps are provided on the web site, one (REI base) shows the location of monitoring wells, the other (LBG base) shows the planned grid of direct push soil boring locations. Commerce does not qualify that the map or the limited information at the copy shop is all that is necessary to submit a complete bid. Additional site data and reports are contained in the case file at Commerce, and Commerce encourages potential bidders to review the case file at the Commerce office in Madison. Contact Kristi Prindle at (608) 267-3753 for an appointment.

Minimum Remedial Requirements

Advance 18 direct push borings at the mapped grid locations. Twelve of the 18 should be planned to be advanced to 16 feet bgs, and six should be planned to be advanced to 36 feet bgs. For the purposes of the bid, bidders shall include costs to advance 408 total feet of direct push soil boring. Commerce intends to have our project manager present during the soil boring sampling so that decisions regarding the final number and depth of borings can be made based on soil screening results in the field. Based on field screening results and at the direction of the Commerce project manager, less total footage and less soil sampling may actually occur. Bidders shall not assume less footage than the 408 total feet in their bid response and shall anticipate more than one day of probing to complete the soil sampling task. Bidders shall include the costs for 36 soil laboratory

analyses (two per boring) for PVOCs plus 1,2 DCA and naphthalene. Soil borings will start at the location nearest MW-2 first. The most easterly borings will likely be on the sidewalk as close as possible to 2nd Main St. Bidders shall assume that all borings will require concrete penetration. Bidders shall also include the cost of a private utility location service and any notifications/permissions to advance borings at the sidewalk locations. Please note that failure to have a properly calibrated (and documentation for that calibration) field screening vapor detection device that is in good working order when the soil sampling is being conducted will result in termination of field work and possible sanctions against the consultant. If less than 408 feet probing is conducted, the cost cap will be adjusted downward using the variable costs provided on page 2 of the bid response. Note that during the bid evaluation process, bid responses will be evaluated not only for the prescribed 408 total feet of soil boring activities, but also will be evaluated at lesser total footage amounts to assist in determining the lowest cost bidder.

Conduct four rounds of semi-annual groundwater sampling for two years. The first round shall be conducted in conjunction with the direct push sampling described above (we suggest no separate mobilization). Collect groundwater samples from MW-2, MW-5, MW-8, and PZ-1 and analyze for PVOCs plus 1,2 DCA and naphthalene for each sample round. During the 3rd sample round also collect samples from all the wells in the network for natural attenuation indicator parameters (including DO, nitrates, sulfates and dissolved iron). Measure water levels in all wells in the network each round. Sampling costs shall include waste disposal costs.

In addition to the required electronic reporting requirements, submit a letter report indicating the results of the soil sampling and initial round of groundwater results 30 days after receipt of the laboratory analytical reports. Submit a second letter report 30 days after receipt of the laboratory analytical for the 4th round of groundwater samples. Note that the initial electronic reporting under this bid shall include data entry for the last three rounds of groundwater data conducted under the prior bid cap.

Submit PECFA claims at the same time as the letter reports indicated above. The initial claim will contain work performed under prior bid cost caps.

While this bid is not a bid to closure, there is a possibility of attaining closure at the conclusion of the work scope. If closure is available and Commerce concurs after review of the final letter report, prepare and submit a complete closure report and GIS Registry packet (consistent with NR 726 requirements) for closure consideration. The report must include all historical data, document all historical activities, and include the data results and documentation of the work activities completed in accordance with this bid. For the purposes of the bid provide on the 2nd page of the bid response provide all closure-related costs (well abandonment costs are a separate contingency line item). If closure is determined to be available, the cost cap established by this bid will be modified upward by the closure-related contingency costs.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Kwik Trip #820

COMMERCE #: 53929-9999-05

BRRTS #: 03-29-000056

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Kwik Trip #820

COMMERCE #: 53929-9999-05

BRRTS #: 03-29-000056

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

Consultant fixed cost to complete direct push soil borings and initial round of groundwater sampling (including but not limited to all mobilization/cleanup, per diem/overnight, equipment, and other costs)	\$
Consultant variable cost for direct push soil sampling (assume 408 total feet)	\$
Consultant variable cost for the initial round of groundwater sampling (excluding lab costs)	\$
Groundwater sampling for Rounds 2 through 4 excluding lab costs (all fixed and variable costs including waste disposal)	\$
Direct-push, commodity fixed cost to complete soil borings (including but not limited to all mobilization/cleanup, per diem/overnight, equipment, and other costs)	
Direct-push commodity variable cost for soil borings (assume 408 total feet and all borings with surface concrete penetrations)	\$
Laboratory cost for 36 soil samples (see bid for required analyses)	\$
Laboratory cost for all groundwater sampling (see bid for analyses)	\$
Reporting Costs (includes initial and final letter report submittals and all electronic reporting)	\$
Initial PECFA Claim Preparation	\$
2 nd PECFA Claim Preparation	\$
Total Bid Amount	
Contingency Costs:	
All closure-related costs excluding well abandonment (includes but is not limited to closure request, justification, GIS packet, other applicable notifications, etc.)	\$
All well abandonment costs	\$